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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,045	01/28/2004	Fujihito Numano	04329.3233	9596
22852	7590	01/11/2007	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			CHOW, JEFFREY J	
			ART UNIT	PAPER NUMBER
			2628	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	01/11/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/765,045	NUMANO, FUJIHITO	
	Examiner Jeffrey J. Chow	Art Unit 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 November 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,5-8,10-12 and 17-28 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-3,5-8,10-12 and 17-28 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 28 January 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 November 2006 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1 – 3, 5, 7, 8, 12, and 17 – 28, filed 13 November 2006, have been fully considered but they are not persuasive.

Applicant argues Kumakazi cannot anticipate “a control unit which determines whether or not the management table includes attribute information for the at least one of the plurality of predetermined information objects included in the image” (page 10). Kumakazi disclose the information relating to Suzuki is magnified (Figure 10a and 10b). Since the information is being displayed and processed, it is inherent that the information for Suzuki is stored and the name of Suzuki is stored. The name of Suzuki reads on the claimed attribute information. Kumakazi discloses a command being sent to expand Suzuki’s information (paragraph 30), meaning that Kumakazi’s system manages which information to magnify based on the name and since it manages which information to magnify based on the name, Kumakazi’s system determines if the name exist as how would the Kumakazi’s system know what information to expand if the name is not in the system. Therefore, as broadly claimed, the above reasoning reads on the claimed

control unit which determines whether or not the management table includes attribute information for the at least one of the plurality of predetermined objects included in the image.

Applicant argues Kumakazi does not disclose “a management table which stores display attribute information for select ones of the plurality of predetermined information objects” (page 11). Kumakazi discloses that the distance information received from the remote control switch 24 to the noticeboard is used to display the content in the expanding display and where the distance information is determined from the table in which the corresponding expansion ratio is presorted in program ROM 303 (paragraph 41 and Figures 10 and 17), which reads on the claimed management table which stores display attribute information for select ones of the plurality of predetermined information objects. The scale factor reads on the claimed display attribute information. As broadly claimed a management table can be a memory that holds display attribute, as Kumakazi’s table, stored in ROM, holds the scale factor. As broadly claimed, the scale factor is used to expand information, for example, Suzuki’s information in Figures 10a and 10b, which reads on the claimed the display attribute information is used for select ones of the plurality of predetermined information object.

The 35 U.S.C. 112, first paragraph, rejection has been withdrawn due to applicant’s arguments

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear that “the attribute information” in line 11 of claims 1 and 12 refer to the “attribute information” in line 9 of claims 1 and 12 or “display attribute information” in line 5, of claims 1 and 12. It is unclear whether or not the “display attribute information” and “attribute information” are the same. Examiner treats the “display attribute information” and “attribute information” as the same.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 3, 6, 8, 10 – 12, 18 – 20, 22, 24, 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Kumakazi (JP 04-367,997).

Regarding independent claim 1, Kumakazi discloses the CPU 4g that calculates the distance between the remote control switch 4 and the destination notice board (paragraph 40) and based on the distance of the remote control switch 4, the desired information is expanded to the display (paragraph 37 and Figure 10), which reads on the claimed image being displayed to a display unit. Kumakazi discloses contents that are expanded in the inner square that represents Suzuki’s information (Figure 10a and Figure 10b), which reads on the claimed image including at least one of a plurality of predetermined information objects. The scale factor reads on the

claimed display attribute information. Kumakazi also discloses that the distance information received from the remote control switch 24 to the noticeboard is used to display the content in the expanding display and where the distance information is determined from the table in which the corresponding expansion ratio is presorted in program ROM 303 (paragraph 41 and Figures 10 and 17), which reads on the claimed management table which stores display attribute information for select ones of the plurality of predetermined information objects. It is inherent that the information for Suzuki is stored and the name of Suzuki is stored as it is displayed (Figure 10a and 10b). The name of Suzuki reads on the claimed attribute information. Kumakazi discloses a command being sent to expand Sukuki's information (paragraph 30), which reads on the claimed control unit which determines whether or not the management table includes attribute information for the at least one of the plurality of predetermined objects included in the image. Kumakazi also discloses the CPU 4g which performs a processing for calculating the distance between the remote control switch 4 and the destination noticeboard according to the length of time light is reflected and processing to output a signal depending on the input and where contents of the expand display is expanded based on the distance between the remote control switch 4 and the noticeboard (paragraphs 37 – 41), which reads on the claimed control unit which magnifies the at least one of the plurality of predetermined information objects according to the attribute information and a distance between the displaying unit and a remote control.

Regarding independent claim 12, claim 12 is similar in scope as to claim 1, thus the rejection for claim 1 hereinabove is applicable to claim 12.

Regarding dependent claim 2, Kumakazi discloses the remote control switch 4 used for expanding display is comprised of an electrooptical converter 4e provided with a light emitter for measuring the distance between the remote control switch 4 and the destination noticeboard, a photoelectric converter 4f provided with a light-receiving element (paragraph 39), which reads on the claimed distance measuring unit which measures the distance, when receiving a predetermined signal from the remote controller.

Regarding dependent claim 3, Kumakazi discloses a maximum value in where if the distance is greater than or equal to 8m, then to only magnify by 5.84x (Figure 17), which reads on the claimed control unit comprises a distance deciding unit which decides whether the distance exceeds a specified value, when receiving a predetermined signal from the remote controller.

Regarding dependent claim 6, Kumakazi discloses character information being magnified (Figure 10), which reads on the claimed attribute information indicates character information included in the image as the at least one predetermined image object.

Regarding dependent claim 8, Kumkazi discloses operation icon, such as, “away from work”, “X”, and “15:00”, being magnified (Figure 10), which reads on the claimed attribute information indicates an operation icon included in the image as the at least one predetermined image object.

Regarding dependent claims 10 and 11, Kumakazi discloses the standard display processing for restoring the display to standard size is performed after a fixed length of time has elapsed (paragraph 41), which reads on the claimed control unit resets/stops a magnifying process according to an external instruction to reset a size of the at least one predetermined

image object and the claimed control unit resets/stops a magnifying process to reset a size of the at least one predetermined image object, when the display unit is operated by an operating means other than the remote controller.

Regarding dependent claim 20, Kumakazi also discloses a predetermined information is magnified based on distance and the predetermined information is magnified on a display based on distance (Figure 10 and 17), which reads on the claimed magnifying the predetermined information according to control information attached to the image. The scaling factor in Figure 17 is the control information.

Regarding dependent claims 18, 19, 22, 24, 26, and 27, claims 18, 19, 22, 24, 26, and 27 are similar in scope as to claims 2, 3, 6, 8, 10, and 11, thus the rejection for claims 2, 3, 6, 8, 10, and 11 hereinabove is applicable to claims 18, 19, 22, 24, 26, and 27.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 17, 21, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumakazi (JP 04-367,997) in view of Lee (US 2003/0234799).

Regarding dependent claims 5 and 21, Kumakazi did not explicitly disclose attribute information indicates an entirety of the image as the at least one predetermined image object.

Lee discloses the size of the image being adjusted accordingly to the distance between the display apparatus and the user (claim 1). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kumakazi's system with Lee's teachings of magnifying the whole image in the display apparatus to magnify the whole image in the display apparatus based on the distance between the display apparatus and the remote control. One would be motivated to do so because this would allow users holding the remote control to clearly see an image in the display apparatus through magnification at a large distance.

Regarding dependent claims 17 and 28, Lee discloses the size of the image being adjusted accordingly to the distance between the display apparatus and the user (claim 1) and Kumakazi restoring the display to standard size is performed after a fixed length of time has elapsed (paragraph 41), which reads on the claimed display unit displays a portion of the image on an entirety of a display screen and the control unit reduces the size of the portion. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kumakazi's system with Lee's teachings of magnifying the whole image in the display apparatus to magnify the whole image in the display apparatus based on the distance between the display apparatus and the remote control. One would be motivated to do so because this would allow users holding the remote control to clearly see an image in the display apparatus through magnification at a large distance.

Claims 7 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumakazi (JP 04-367,997) in view of Suda (US 2002/0034375).

Regarding dependent claims 7 and 23, Kumakazi did not expressly disclose magnifying subtitle information of the image as the at least one predetermined image object. Suda discloses enlarging subtitles (paragraphs 99 and Figures 9A – 9C). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Kumakazi's system by enlarging subtitles based on distance. One would be motivated to do so for people who are visually impaired or hearing impaired would be able to see subtitles with convenience at any reasonable distance.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumakazi (JP 04-367,997) in view of Ryoji (JP 2001-282210).

Regarding dependent claim 9 and 13, Kumakazi did not explicitly disclose the magnification of predetermined information included in the video contents. Ryogi discloses predetermined information being enlarged based on user selection (Figures 6 and 7). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kumakazi's system with Ryogi's teaching of magnifying predetermined information in a video display to magnify predetermined information in a video display based on the distance between the display unit and the remote control, which allow users to concentrate on the selective magnified part of the image while leaving the rest of the image the same.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Chow whose telephone number is (571)272-8078. The examiner can normally be reached on Monday - Friday 10:00AM - 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571)-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JJC

Ulka Chauhan
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SUPERVISORY PATENT EXAMINER